

Delegated Report		Analysis sheet		Expiry Date:	08/04/2022
		N/A / attached		Consultation Expiry Date:	10/04/2022
Officer			Application Number(s)		
Adam Greenhalgh			2022/0626P		
Application Address			Drawing Numbers		
47 England's Lane London NW3 4YD			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use of ground floor and basement unit from 'Sui Generis' use (Launderette) to Class E					
Recommendation(s):		Refuse planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	05	No. of objections	3
					No of supports	2
Summary of consultation responses:	<p>A site notice was displayed on the 16/03/2022 and the consultation period expired on 09/04/2022. A press notice was advertised on 17/03/2022 and expired on 10/04/2022.</p> <p>5 objections and 2 supports were received. None were addressed but they are all believed to be local. Support was received from occupiers of flats in proximity to a previous fire at the launderette.</p> <p>The objections can be summarised as follows:</p> <ul style="list-style-type: none">• Need for the launderette, both in terms of the laundry facility but also as a community meeting point;• Dry cleaners next door does not provide a comparable service to the launderette (i.e. self-service washing facilities at an affordable price);• Homeless families in the temporary accommodation in England’s Lane etc. would be without laundry facilities <p>The letters of support refer to the risk to life from the fire at the launderette and anti-social behaviour at the launderette.</p>					
Ward Councillors	Two Ward Cllrs (Tom Simon and Laura Porritt) have raised objections on grounds of the loss of the use which is needed by the local community, including a temporary accommodation hostel in England’s Lane.					

Site Description

The application relates to the ground floor and basement unit of the three storey mid terrace building. It is located along the eastern side of England's Lane. The ground floor and basement unit comprises a Launderette (Sui Generis). (The upper floors contain two residential flats (C3)).

The building is not listed but is located within the Belsize Conservation Area. It is located in the England's Lane Neighbourhood Centre.

England's Lane hostel for homeless families is located on England's Lane.

Note: There was a fire at the launderette in June 2021.

Relevant History

Application site

2019/5888/P - Change of use from launderette (Sui Generis) to retail (A1) at ground/basement – refused 24/02/2020

Reason for refusal: 'The proposed change of use, by reason of the loss of a launderette which provides a specific and essential service and social function, would be detrimental to the character, function, vitality and viability of the England's Lane neighbourhood centre, contrary to policies TC2 (Camden's centres and other shopping areas) and TC4 (Town centres uses) of the London Borough of Camden Local Plan 2017.'

Sites within Belsize area

54 Belsize Lane

2018/2824/P - Change of use from Launderette (Sui Generis) to shop (Class A1). – **Refused 22/02/2019**

Reason for refusal: "The proposed change of use, by reason of the loss of a launderette which provides a specific and essential service and social function, would be detrimental to the character, function, vitality and viability of the Belsize neighbourhood centre, contrary to policies TC2 (Camden's centres and other shopping areas) and TC4 (Town centres uses) of the London Borough of Camden Local Plan 2017."

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden's Local Plan (2017)

- E1 Promoting a successful and inclusive Camden economy
- A1 Managing the impact of development
- TC1 Quantity and location of retail development
- TC2 Camden's centres and other shopping areas
- TC4 Town centres uses

Supplementary Guidance

- Town centres and retail (2021)
- Amenity (2021)

Belsize Park Conservation Area Statement (April 2001)

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the change of use of the existing laundrette (Sui Generis) to Class E. The change of use involves a floorspace of 153 sqm across the ground floor and basement. No external alterations are proposed in this application.
- 1.2 Class E of the Use Classes Order 1987 (as amended) was introduced on **01/09/2020** and covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class.

2.0 Assessment

- 2.1 The main considerations in relation to this proposal are:

- Principle of the change of use (Neighbourhood Centre impacts)
- The impact upon the amenity of nearby residential occupiers.
- Transport

3.0 Change of Use (Neighbourhood Centre impacts)

- 3.1 The Council will ensure that development in its centres is appropriate to the character and role of the centre in which it is located and does not cause harm to neighbours, the local area, or other centres.

- 3.2 Policy TC2 in the Camden Local Plan 2017 indicates that the Council will provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice. Supporting para 9.23 states that the Council will “ensure that any development in them does not harm the function, character or success of that centre.”

- 3.3 Policy TC4 provides more information about other town centre uses. Generally, it indicates that development should not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. A number of specific considerations are listed, below including:

- the effect of development on shopping provision and the character of the centre in which it is located;
- the individual planning objectives for each centre, as set out in the supplementary planning document Camden Planning Guidance on town centres and retail;
- the health impacts of development.

3.4 The Supplementary Planning Guidance document states: 'Camden's Neighbourhood Centres provide for the day-to-day needs of people living, working or staying nearby. They generally consist of groupings of between five and fifty premises which focus on convenience shopping. Other uses that can make a positive contribution to the character, function, vitality and viability of these centres include: launderettes.'

3.5 In further recognition of the service launderettes can provide, the Council served an Article 4 Direction adopted on 1 June 2018 preventing the change of use of launderettes to dwelling houses (Sui Generis to C3) which would otherwise be bestowed permitted development rights as a result of recent changes to the GPDO. The permitted development right only applied to launderettes which were located outside a conservation area hence the application site not being included in this article 4.

3.6 The laundrette contributes to the vitality and function of this part of England's Lane. The proposed change of use of the laundrette to Class E uses would impact upon the range of 'other suitable uses' in the neighbourhood centre and the objective to provide variety, vibrancy and choice. Thus, the proposed change of use would fail to protect and enhance the role and character of England's Lane Neighbourhood Centre.

3.7 Camden Planning Guidance identify launderettes as being able to make a positive contribution to the character, function, vitality and viability of neighbourhood centres. For residents without access to washing machines, launderettes provide an essential service. Those without access to a washing machine at home, including those living in more temporary forms of accommodation, are likely to be on lower incomes. The objection raised by the Ward Councillor refers to the need for the launderette for local people. In addition, launderettes can perform a social function as a meeting place. Officers therefore consider that it is important to retain these facilities.

3.8 It is evident that the changes to the Use Classes Order and particularly the introduction of Class E was intended to allow flexibility between commercial and professional uses. Nevertheless, in this case, which concerns a Sui Generis use which does not fall under Class E (commercial and professional services), the proposal would result in the loss of a unique use (launderette) which provides an essential services and provides a community benefit for residents living in bedsits.

3.9 The loss of the launderette could therefore be more harmful to the character, function, viability and viability of the centre. The loss could also harm the health and wellbeing of those without access to a washing machine, and reduce the inclusiveness of the centre. The loss of the launderette would represent a 5% reduction in the total number across the borough.

3.10 It is therefore reasonable to conclude that the gain of an additional retail use would have a lesser impact when looked at in context with the loss of the launderette. This is mainly due to the greater impact on residential amenity to all those who depend on these limited essential services that laundrettes offers to the end user. Particularly, those living in local homeless centre for families on England's Lane which are reliant on the launderette as this accommodation does not have onsite washing facilities. The consultation responses indicate that the launderette is a valuable community asset. Whilst the Council's policies generally favour the addition of A1 uses in centres and limit the introduction of non-A1 Uses in the interests of supporting the character, function, vitality and viability of the centre, there is clear evidence that this would not be the effect in this instance. It is vital in the interests of supporting the centre and the community reliant upon it in this case for the existing use as a launderette be retained.

3.11 The accompanying cover letter from the applicant suggests that the function, character and success of the centre will not be harmed as a result of the loss of the laundrette as Chequers Dry Cleaners at No.48 is located across the street. It is noted that this facility does not offer the same services as the laundrette and is more expensive.

3.12 The agent has stated that the laundrette has gone into administration and had been put up for sale; however it was still operational and a number of objections received outlined that the existing tenant wished to remain. No viability assessment was submitted as part of this proposal and, given the number of objections that were received from current users of the premises, the laundrette seems to provide a vital function for the local community.

3.13 It is considered that the context of the site and local plan policies have not changed since the last refusal of permission in 2020 for change of use from a laundrette to retail shop, and thus the same reason for refusal on landuse grounds applies here again.

4.0 The impact upon the amenity of neighbouring occupiers

4.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight/daylight, noise and disturbance.

4.2 No external alterations are proposed and consequently there would be no impact in terms of outlook, privacy, sunlight or daylight.

4.3 Class E uses can exist side-by-side with residential uses in Neighbourhood Centres without significant nuisance or disturbance for neighbouring occupiers. Environmental Health legislation and licencing exist to control the use/management of outlets and the amenity of neighbouring occupiers from uses which are potentially harmful. Planning conditions can also potentially be used to control the use of premises within Class E and to require noise mitigation.

4.4 The letter of support which was received suggests that the existing use represents a fire risk and a potential source of anti-social behaviour. However, officers consider that the existing use poses no more risk of anti-social behaviour than several other potential Class E uses, that any anti-social behaviour in the surrounding can be controlled by other appropriate means, and that fire safety should be safeguarded by way of civil law and the Building Regulations.

5.0 Transport

5.1 The Council's Transport Team has stated that, in accordance with the Council's (and London Plan and NPPF) policies for reducing car use, that the development would have to be 'car free'. Camden secure 'car free' developments by way of requiring legal agreements to prevent future occupiers from obtaining car parking permits. In the absence of such an agreement, the proposal is contrary to the Council's (and London Plan and NPPF) policies for sustainable transport.

5.2 Short stay cycle parking spaces should also be provided within the curtilage of the development; however as the development does not have a forecourt, officers have advised that a financial contribution for cycle parking on the public highway should be secured, also by a legal agreement. The policy requirement is for the provision of 8 cycle spaces and the financial contribution towards the provision of 4 Sheffield stands to provide 8 cycle parking spaces off-site would be £1,200. In the

absence of a legal agreement to secure the provision of the cycle parking facilities, the proposal is contrary to Camden's (and London Plan and NPPF) policies for sustainable transport.

5.3 A Construction Management Plan and highways contribution would not be necessary for this development.

6.0 Conclusion

6.1 Overall it is considered that the proposed change of use, by reason of the loss of a launderette which provides a specific and essential service and social function, would be detrimental to the character, function, vitality and viability of the England's Lane neighbourhood centre, contrary to policies TC2 (Camden's centres and other shopping areas) and TC4 (Town centres uses) of the London Borough of Camden Local Plan 2017.

6.2 In the absence of a signed legal agreement relating to a 'car-free' development and a contribution to the provision of 8 cycle parking spaces in the vicinity, the proposal is contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car free development) and CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

7.0 Recommendation

7.1 Refuse planning permission.